

6408. Adulteration of shell eggs. U. S. * * * v. 114 Cases * * * of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8529. I. S. No. 10576-p. S. No. C-746.)

On September 24, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 114 cases, each containing 30 dozen shell eggs, alleging that the article had been shipped on September 13, 1917, by J. L. Beer & Co., New Orleans, La., and transported from the State of Louisiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted wholly of a decomposed animal substance, and for the further reason that it consisted in part of a filthy animal substance, and for the further reason that it consisted wholly of a filthy animal substance.

On September 26, 1917, the matter coming on to be heard upon motion of the United States attorney for an order of disposition of the article, and it appearing to the court that the article was of a perishable character and was rapidly deteriorating in quality and value, it was ordered by the court that the United States marshal be authorized and directed to separate, under the supervision of a representative of this department, such portion of the eggs as were found fit for human food and sell the same at the best price obtainable, and to destroy the portion of the eggs found to ~~be~~ unfit for human food.

On June 29, 1918, no claimant having appeared for the property, a formal judgment of condemnation and forfeiture was entered by order of the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*